

Gifts and Benefits Policy

v.4.0 November 2023

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1. Purpose

This policy supports the icare Code of Conduct and Ethics and sets out the principles to help manage your obligations in relation to offers and acceptances of gifts and benefits.

icare is committed to being a professional and ethical workplace. Occasionally in the course of your role at icare you, or your family members, friends or associates, may be offered gifts or benefits by suppliers, clients, service providers, agents or other persons and organisations. Gifts and benefits may be offered out of gratitude and goodwill for a job well done. They can also be offered to create a favourable impression or to gain preferential treatment.

Regardless of why they are given, accepting a gift of benefit may create a sense of obligation that could compromise impartial and honest decision making. Acceptance or giving of any gifts and benefits may also impact the public perception of the integrity and independence of icare and the people working on behalf of icare. You must be able to demonstrate that you are not influenced in the performance of your duties by offers of gifts and benefits. This policy outlines what to do if you are in this situation.

2. Scope

This policy applies to everyone working with or on behalf of icare including (paid or unpaid): board directors; full-time, part-time, temporary or permanent employees; graduates; contingent workers; contractors; consultants; interns; secondees from other organisations; students on work placements and volunteers. It applies to all gifts and benefits (as defined below) offered or accepted from an external party (namely, a customer, client, applicant, supplier, potential supplier or external organisation).

3. Key concepts

What are gifts and benefits?

A **gift** or **benefit** is any item, service, prize, discount, ticket, meal, preferential treatment, membership to a club or association, hospitality or travel provided by a customer, client, applicant, supplier, potential supplier or external organisation, which has a monetary value or worth to you, a member of your family, a relation, friend or associate, and not paid for by icare.

What is a bribe?

A bribe is an undue reward provided to, or solicited by, you with the intention of influencing your performance of your icare duties. Bribes are illegal. Any attempt to bribe you, to offer a bribe or your acceptance of a bribe, is corrupt conduct.

4. Policy principles

4.1 General principles

Members of icare should not be, or be perceived to be, influenced by any person or organisation. This policy is designed to protect you and icare from being placed in a compromising position in instances where gifts, benefits, hospitality or, even bribes, have been offered or received.

The offer of gifts and benefits can create an actual, perceived or potential conflict of interest. Adopting the following principles will help ensure we can be confident in our decisions to accept or decline gifts and benefits offered.

- Remember to always place icare's interest over your personal interest.
- Consider all available information and consider what 'a reasonable person would think'. There will always be grey areas and ultimately the question to be decided is 'would a reasonable person think that the gift or benefit was intended to influence the recipient to act in the interests of the giver, either now or in the future?'
- Be transparent – discuss all gifts and benefits offered with your people leader.
- Accepting monetary gifts (e.g. cash, gift cards, monetary discounts or direct deposits) is strictly forbidden, regardless of the value and may be a criminal offence.
- The same principles in this policy also apply to your family member, relation, friend or associate, if they are offered a gift or benefit in association with your work at icare.

4.2 Prohibited gifts and benefits

You must not solicit a gift or benefit or accept inducements or bribes.

You must not accept a gift or benefit offered by or accepted from an external party:

- If it is cash, cheques, money-orders, gift vouchers, gift cards, debit cards, pre-paid cards or direct deposits.
- If it is sponsored travel or accommodation by an individual or external organisation for recreational purposes unrelated to official business.
- Where acceptance of the offer creates a conflict of interest (as defined in the Conflicts of Interest Policy) e.g. gifts or benefits offered by an existing supplier engaged by icare, or a potential supplier.

Inadvertent acceptance of a prohibited gift or benefit in good faith will not be a breach of this policy provided you declare it as soon as you become aware and surrender the gift or benefit as soon as possible.

4.2.1 Bribes

Bribes are illegal and must be declined. If you receive a bribe, you must take the following actions immediately:

- Reject the offer and stop interacting with the individual or external organisation.
- Immediately discuss the situation with your people leader and report it to the General Manager, Internal Audit.
- Keep a record of events such as notes about what was said by the person, when the offer occurred, anyone else who was present, and any other relevant details.

The Head of Conduct & Integrity must report any suspected corrupt conduct immediately to the Independent Commission Against Corruption (ICAC) New South Wales.

4.3 Permitted gifts and benefits

4.3.1 No people leader approval or declaration required

Provided a gift or benefit is not prohibited under section 4.2 above, you may accept one-off, non-monetary gifts or benefits offered to you where the retail value is less than \$50 without approval from your people leader and without the need to complete a Gifts and Benefit Declaration through Risk Connect.

Before accepting the offer, you must pause and consider if acceptance complies with all the principles in this policy, and whether acceptance would be prohibited under section 4.2. If in any doubt, speak to your people leader.

4.3.2 People leader approval and declaration required

Provided a gift or benefit is not prohibited under section 4.2 above, and the gift or benefit you are offered has a retail value of \$50 or more, you should discuss the acceptance of the gift or benefit with your people leader. Your people leader must approve the gift or benefit through Risk Connect before you accept the offer.

You must complete and submit a Gifts and Benefits Declaration through Risk Connect within five business days of your people leader's approval.

If you are a people leader and have any queries about whether to approve a request by a team member to accept a gift or benefit, speak to the Conduct & Integrity team or the Group Executive, Risk and Governance for advice.

In situations where refusing to accept a gift immediately may cause a problem (e.g. offending the provider), you may accept the gift in the interim and you must seek approval to retain the gift, within 5 business days of receipt. If approval is granted by your people leader, you may keep the gift. You must complete and submit a Gifts and Benefits Declaration through Risk Connect within five business days of your people leader's approval. If approval is not granted by your people leader within 10 business days of receipt, you must surrender it to icare. This can be done by sending it to the Conduct & Integrity team. See section 4.5 below for further information on surrendering gifts or benefits.

4.3.3 Relevant education, professional development, or networking opportunities

Staff are permitted to accept offers which constitute relevant education, work-related seminars or conferences, professional development, or business networking opportunities where the offer is:

- relevant to your role at icare, and
- approved by your people leader either before acceptance or within 5 business days of acceptance, and
- not prohibited by section 4.2 of this policy.

Examples of such offers include:

- Functions where you attend in an official capacity as a representative of icare and food and beverages are provided.
- Hospitality provided as a part of a conference package, where icare is a sponsor or has paid a fee for you to attend.
- Catered briefings, seminars, roundtables, or working lunches with invitees from a range of external organisations present and hospitality is received by all attendees (e.g. educational briefings from legal firms or consulting firms offered to a range of external attendees).

- Professional development and networking functions where invitees from a range of external organisations are present and hospitality is received by all attendees.
- Educational or professional information that is offered to you to assist you in the conduct of your role with icare and could also be offered to other external parties (e.g. briefing notes on new case law, prepared by external law firms for their clients; surveys on recruitment trends prepared by recruitment firms for their clients; or reports on industry trends prepared by actuarial or consulting firms for their clients; where this information is offered to you in your capacity as a representative of icare).

You must complete and submit a Gifts and Benefits Declaration through Risk Connect within five business days of your people leader's approval.

Where you are a member of a profession that requires mandatory continuing education in order to maintain your qualification, practicing certificate, or membership of the professional association, the educational events that you attend to fulfil the continuing education requirements are permitted and do not require pre-approval or a declaration, as long as they are not prohibited by Section 4.2 of this policy.

4.3.4 Gift cards for research participation

Provided a gift or benefit is not prohibited under section 4.2 above and compliant with section 4.7 below, for research activities that include participation in surveys by scheme participants, gift cards can be offered to participants for their time, experience, and insights they provide to help design and create icare's products and services.

- An approval for the research activity with research objectives, identifying the research group (e.g., lifetime care participants with spinal injuries), total funding for the gift cards, and the number of research participants should be approved by the General Manager of the business area conducting the research.
- The icare staff involved in the research should declare conflicts of Interest with respect to the research participants, and lodge the declarations in Risk Connect.
- Gift cards should be purchased in-line with the P-card policy requirements.
- Gift cards should be issued in the name of the participant and should be from a reputable gift card issuer. Electronic payment cards should not be used, e.g., prepaid credit/Amex/Master/Visa cards.
- Participants should be informed upfront that payment is in the form of a gift card.
- The gift card can be provided after the research to the participants, and a robust process should be in place to ensure its distribution to the research participants.

The General Manager overseeing the conduct of the research should lodge a Gifts and Benefits declaration in Risk Connect for the related research activity, and attach the approval documents, conflict of interest declarations, gift card purchase receipts, and evidence of distribution of the gift cards.

4.3.5 Travel and accommodation

Provided the travel or accommodation is not prohibited under section 4.2 above, offers of sponsored travel and accommodation by external organisations for official business purposes, can be accepted where:

- the value, nature and type of travel and accommodation is reasonable having regard to the official business purpose (e.g. business class flights may not be appropriate and therefore should not be accepted, if it would have been reasonable for economy class flights), and

- you have obtained the approval of your people leader in writing (this can be via email) prior to acceptance of the travel or accommodation, and
- any additional requirements under the icare Travel Policy are also complied with.

If you are travelling for both business and personal purposes (e.g. you are travelling for official icare business interstate to attend a conference and after the conference, you will be staying for the weekend), only the part of the travel that is directly related to the icare official business can be sponsored by an external party. Any part of your trip which is for recreational purposes **unrelated** to official business, is prohibited from being paid for by any external party.

You must complete and submit a Gifts and Benefits Declaration through Risk Connect within five business days of your people leader's approval.

From time to time, icare staff may be offered travel or accommodation upgrades during official business travel within Australia or overseas. You must not seek or solicit an upgrade from a travel or accommodation provider in relation to official travel. Where a travel or accommodation provider seeks to upgrade you for operational reasons, at no charge to you or icare (for example, where an airline upgrades a traveller to business class because it has overbooked its economy class for that flight) you may accept the upgrade without your people leader's approval, but you must advise your people leader as soon as possible and declare the upgrade using the Gifts and Benefits Declaration through Risk Connect upon your return.

4.4 Declining offers

If an offer of a gift or benefit cannot be accepted under the principles of this policy, or your people leader has not granted written approval for you to accept an offer, it must be declined.

If you decline an offer of a gift or benefit, you must declare it using the Gifts and Benefits Declaration through Risk Connect and notify your people leader.

4.5 Surrendering gifts or benefits

If you have accepted a gift or benefit for whatever reason (e.g. where refusing to accept a gift immediately may cause a problem if it is offered in a public forum; or you have accepted a gift in good faith believing it is to permitted under this policy but subsequently realise it is not permitted) and you subsequently cannot retain it (e.g. your people leader does not approve the acceptance of the gift or benefit), you must surrender the gift or benefit to icare. This can be done by sending it to the Conduct & Integrity team. The Group Executive, Risk and Governance (GE, R&G) will make a decision regarding an appropriate disposal method, such as donating the gift or benefit to charity, or an internal raffle by staff with the proceeds going to an icare-supported charity. In the case of perishable gifts such as chocolates or food hampers, an appropriate method for disposal of the gift could be to share or distribute the gift amongst the staff.

4.6 Patterns of cumulative or regular offers

If you become aware of any patterns concerning gifts or benefits offered, discuss them with your people leader and consider whether they should be declined on the basis of the principles in this policy. For example:

- You are offered or receive multiple gifts or benefits from the same person or entity over a short period of time (for example, a period of 6 to 12 months); or

- You are offered or receive regular gifts or benefits which in themselves are nominal but on a cumulative basis, could be perceived to influence (e.g. you have a regular monthly lunch with a supplier, and they pay for the lunch every month).

Each of the circumstances above must be discussed with your people leader and declared using the Gifts and Benefits Declaration through Risk Connect, even if declined. If you identify a cumulative pattern of offers, all offers in the series or pattern of offers must be declared, regardless of their value. These circumstances may also create the perception of a conflict of interest and (if relevant) you must comply with the Conflicts of Interest Policy.

4.7 Offering gifts, benefits and hospitality

On occasion, icare may host an event, request a guest speaker or present a gift to external parties. It may be appropriate in these circumstances to give guest presenter or delegates a token gift or provide hospitality as a part of the event. Staff providing a gift, benefit or hospitality must ensure:

- It is provided for an official business purpose;
- Costs are proportionate to the benefits obtained for icare and would be considered reasonable in terms of community expectations;
- The gift or benefit is purchased through a transparent and equitable process and appropriately documented;
- Expenditure on hospitality must be accurately documented and must generate appropriate business benefits for icare. The hospitality must result in, or be reasonably expected to contribute to, achieving icare's objectives and should not be used merely for social purposes; and
- Generally, hospitality should not be extended to consultants or other providers of goods or services unless authorised by the Group Executive for your business.

All offers of gifts, benefits or hospitality to external parties must be approved by your people leader and declared, using the Gifts and Benefits Declaration through Risk Connect.

5. Monitoring and reporting

The Conduct & Integrity team will perform regular assurance activities over the Gifts and Benefits Register to monitor and oversee compliance with this policy and must report identified instances of non-compliance to the GE, R&G. Non-compliance with this policy is discussed in section 7.

Where possible, the Conduct & Integrity team will also conduct detective monitoring with a view to identifying any undeclared gifts and benefits.

Reporting concerning gifts and benefits is available through Risk Connect to Group Executives to enable them to fulfil their obligations under this policy.

Information disclosed in relation to gifts and benefits is collected, used, stored and disclosed consistently with the requirements under *the Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002*.

6. Roles and responsibilities

Role	Responsibilities
All icare employees	<ul style="list-style-type: none"> Act with integrity and demonstrate that you are not influenced in performing your icare duties. Remain vigilant and exercise sound judgment about gifts and benefits, in particular, if you are involved in high risk activities (such as procurement). Take all reasonable steps to discourage your family and relatives from accepting gifts and benefits associated with your role at icare. Complete all training provided in relation to gifts and benefits. Comply with the requirements of this policy at all times. Discuss offers with your people leader where the value is equal to or greater than \$50, obtain your people leader's approval to accept such gifts and benefits, and complete and submit the Gifts and Benefits Declaration through Risk Connect Report identified breaches of this policy in Risk Connect Comply with all reasonable requests from the Conduct & Integrity team made under this policy. Refer any relevant matters of suspected corrupt conduct to the Head of Conduct and Integrity.
People Leaders (in addition to responsibilities as icare employees)	<ul style="list-style-type: none"> Be aware of the nature of and risks of gifts and benefits which are inherent to your team. Role model the principles in this policy and support your team in understanding and complying with this policy. Exercise sound judgment and ensure appropriate consideration is given to the approval of offers of gifts and benefits. Regularly check the compliance of your team members with this policy. Report any concerns about gifts or benefits offered to your team to the Conduct & Integrity team or the GE, R&G.
Conduct & Integrity Team (in addition to responsibilities as icare employees and People Leaders where relevant)	<ul style="list-style-type: none"> Review and assess all gifts and benefits declarations. Maintain a Gifts and Benefits Register. Provide guidance on this policy, where required. Develop and deliver any required training on gifts and benefits. Receive reports of suspected breaches of this policy and take appropriate actions on these reports. Undertake appropriate assurance activities to monitor and oversee compliance with this policy. Report information on the Gifts and Benefits Register to the Group Executive Team and the Board Risk Committee. Review and monitor the design and operating effectiveness of the policy on an annual basis. Provide reporting as required to support icare's compliance with this policy

Role	Responsibilities
<p>Group Executive, Risk and Governance</p> <p>(in addition to responsibilities as icare employee and People Leader)</p>	<ul style="list-style-type: none"> • Develop and maintain this policy as policy owner. • Recommend any changes to this policy annually to the icare Board Risk Committee and the Board. • Make decisions regarding an appropriate disposal method for gifts or benefits which are surrenders to icare by staff and execute on the disposal. • Provide advice to people leaders on whether to approve a request to accept a gift or benefit. • Provide advice and consult with people leaders on appropriate action to be taken in the event of non-compliance or breach of this policy. • Refer any relevant matters of suspected corrupt conduct to the Head of Conduct and Integrity for review and investigation as appropriate. • Escalate any relevant material matters to the Board Risk Committee.
<p>Head of Conduct and Integrity</p> <p>(in addition to responsibilities as icare employee and People Leader)</p>	<ul style="list-style-type: none"> • Receive reports of suspected bribes or corrupt conduct and take appropriate action on these reports. • Report suspected corrupt conduct immediately to the Independent Commission Against Corruption (ICAC) New South Wales.
<p>General Managers</p>	<ul style="list-style-type: none"> • Provide approval for the research activity with research objectives, identifying the research group (e.g., lifetime care participants with spinal injuries), total funding for the gift cards, and the number of research participants. • Lodge a Gifts and Benefits declaration for the related research activity, and attach the approval documents, conflict of interest declaration record numbers (Risk Connect), gift card purchase receipts, and evidence of distribution of the gift cards.
<p>Group Executive Team (GET) (in addition to responsibilities as icare employees and People Leaders)</p>	<ul style="list-style-type: none"> • Receive information on the Gifts and Benefits Register relevant to your business area and take appropriate actions in relation to any non-compliance or high risks raised. • Understand and monitor the nature, type and appropriateness of the declared gifts and benefits in your business area (through Conduct & Integrity team reporting), both accepted and declined gifts and benefits declared. • Accountable for ensuring compliance with this policy by your business area.
<p>Board Risk Committee</p>	<ul style="list-style-type: none"> • Comply with requirements for declaring gifts and benefits as set out in the Board and Committee Charters. • Receive reporting on the design and operating effectiveness of this policy across icare. • Review and endorse this policy for approval by the Board annually. • Provide oversight of icare's control framework for managing gifts and benefits and take appropriate action in relation to non-compliance or breaches. • Escalate any material matters relating to gifts and benefits to the Board as necessary.
<p>Board</p>	<ul style="list-style-type: none"> • Approve this policy annually. • Receive any escalation of material matters from the Board Risk Committee and take appropriate action.

7. Non-compliance with this policy

The primary responsibility for complying with this policy at all times lies with each individual covered by this policy. If you become aware of non-compliance or breaches of this policy, escalate the matter to your people leader, to the Conduct & Integrity team or to the GE, R&G.

Soliciting or accepting a gift or benefit as an actual inducement to make a decision, or to provide a favour, is not only inconsistent with icare's Code of Conduct and Ethics but constitutes corrupt conduct under the Independent Commission Against Corruption Act 1988 (ICAC Act) and may lead to criminal prosecution.

If this policy is not complied with, appropriate action must be taken to remedy the non-compliance or breach. These actions can include surrender of the gift or benefit to icare, completion and submission of a late Gifts and Benefits Declaration on Risk Connect, additional training and education to be undertaken by the staff member, and more serious non-compliance with this policy may lead to disciplinary action or termination. Material breaches of the policy may also constitute corrupt conduct as defined in the ICAC Act. As a result, material breaches may be reported to ICAC or the NSW Police. Determinations on appropriate action to be taken in the event of non-compliance or breach, should be made in consultation with the GE, Risk & Governance.

Anyone who reasonably suspects a breach of this policy must report the matter to their people leader or in accordance with the Reporting Wrongdoing Policy. Breaches of this policy must be reported as incidents in Risk Connect.

The Conduct & Integrity team will investigate any alleged non-compliance. In certain circumstances it may be appropriate for another team (e.g., Internal Audit) or an external third party to conduct an investigation into alleged non-compliance. Material non-compliance with the Policy will be reported to the GE, Risk & Governance who may engage with the Group Executive, People and Culture on any disciplinary action or refer matters to external agencies.

8. Related Policies and Procedures

Refer to HUGO for the most up to date policies, procedures and information, including:

- Code of Conduct and Ethics
- Gifts and Benefits Guidelines and Procedure
- Conflicts of Interest Policy
- Conflicts of Interest Guidelines and Procedure
- Travel Policy
- Reporting Wrongdoing Policy
- Fraud and Corruption Control Policy
- Managing Misconduct Policy

9. Contact

Contact your people leader, the Conduct & Integrity team or the GE, Risk & Governance if you have any questions or feedback.

10. Version Control and Document History

Key document information	
Document owner (Policy Owner)	Group Executive, Risk and Governance
Approving Authority	Board
Last Approval Date	27 November 2023
Review Frequency	Annual

Version	Author	Change Summary	Approved by and approval date
1.0	GM Compliance	New policy	Risk, Compliance and Audit Committee 24 May 2016
2.0	Head of Compliance	<p>Material revisions to the policy including:</p> <ul style="list-style-type: none"> Aligning policy principles with recent guidance from Treasury; Amending declaration and approval threshold to \$50 or more (previously \$100 or more); Clarifying principles relating to hospitality, travel and accommodation, and offers that constitute relevant education, professional development and business networking opportunities; Adding principles relating to making offers of gifts and benefits; Clarifying and updating scope, monitoring, reporting and roles and responsibilities; Updating consequences of non-compliance. 	Board 26 February 2021

Version	Author	Change Summary	Approved by and approval date
3.0	GM Compliance	<p>Annual review. Amendments as follows:</p> <ul style="list-style-type: none"> • Clarification that the scope of the Policy applies only to gift or benefits from external entities (not internal icare staff); • Replace references to Chief Risk Officer with Group Executive, Risk and Governance; • Updating provisions relating to review and investigation of potential corrupt conduct to refer to the new role of Head of Conduct and Integrity. 	<p>Board</p> <p>3 December 2021</p>
3.1	GM Compliance	<p>Minor amendments to the policy as follows:</p> <ul style="list-style-type: none"> • Replace references to Genie with Risk Connect • Updating processes relating to declaration of gifts and benefits using Risk Connect • Change references to Audit and Risk Committee to Board Risk Committee. 	<p>CEO and Group Executive, Risk and Governance</p> <p>1 June 2022</p>
3.2	GM Compliance	<p>Minor amendments to the policy as follows:</p> <ul style="list-style-type: none"> • Replace references to the Compliance team with the Conduct & Integrity team • Updated Head of Internal Audit to Head of Conduct & Integrity for reporting corrupt conduct immediately to the Independent Commission Against Corruption (ICAC) New South Wales. 	<p>Board</p> <p>28 November 2022</p>
3.3	GM Risk & Compliance	<p>Annual review. Amendments as follows:</p> <ul style="list-style-type: none"> • Added new sub-section 4.3.4 Gift cards for research participation under Section 4. Permitted gifts and Benefits. • Added <i>General Managers</i> to section.6 for Roles and Responsibilities. 	<p>Board</p> <p>27 November 2023</p>